

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/512,032
Applicants : **Jacqui TOBIAS et al.**
Filed : July 19, 2005
Title : **SPINNING TOY**
Group Art No. : 3714
Examiner : Not yet assigned.
Customer No. : 28289

MAIL STOP AMENDMENT

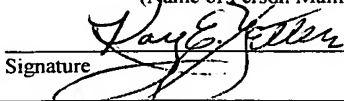
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants hereby submit this Information Disclosure Statement, which includes a completed Form PTO/SB/08A.

This application corresponds to International (PCT) Application No. PCT/AU2004/000539 filed April 27, 2004. The International Search Report (ISR) dated

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 20, 2005.	
Kay E. Yetter	
(Name of Person Mailing Paper)	
	October 20, 2005
Signature	Date

June 30, 2004 and the Written Opinion dated July 9, 2004 for the underlying PCT Application identified the references listed on Form PTO/SB/08A. All of the references listed on Form PTO/SB/08A are U.S. patents, except British Patent No. GB 186281. Copies of the ISR, the Written Opinion and British Patent GB 186281 are enclosed.

In the Written Opinion, the PCT Examiner makes certain observations about independent claim 1, which correspond to claim 19 of the present application. In particular, the PCT Examiner states:

1. In claim 1, the term "a string attached to the shaft" is unclear. It would appear, from the specification as a whole, that this is intended to include attachment of the string to a spindle, the spindle engaging a shaft and being able to be released from the shaft. However, this would not normally be interpreted to be within the scope of the term "a string attached to the shaft".

It is also not clear if "a string attached to the shaft" can include the situation where the string is adjacent to the shaft, but not tied.

2. Further to point 1, above, the phrase "releasing the attachment of the string on the shaft", is correspondingly unclear.

In an amendment under Article 19 and in a Supplemental Preliminary Amendment filed concurrently herewith, independent claims 1 and 18 (corresponding to claims 19 and 38, respectively) have been amended to include reference to the "spindle" and to clarify the function of the releasing mechanism in accordance with the above suggestions by the PCT Examiner. Applicants believe that claims 19-38 are patentable over the prior art of record and in condition for allowance.


Pursuant to 37 C.F.R. § 1.97(b)(3), no fee is due for the submission of this Information Disclosure Statement, which is being submitted before the mailing date of a first Office Action on the merits.

Application No. 10/512,032
Paper Dated: October 20, 2005
Attorney Docket No. 4623-045365

The Commissioner for Patents, however, is hereby authorized to charge any fees which may be required to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Information Disclosure Statement are enclosed.

Respectfully submitted,

THE WEBB LAW FIRM

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/512,032
Filing Date	July 19, 2005
First Named Inventor	Jacqui Tobias
Art Unit	3714
Examiner Name	Not yet assigned.
Attorney Docket Number	4623-045365

Sheet 1 of 1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1	US- 6,354,905 B1	03/12/2002	HAINES et al.	
	2	US- 6,599,165 B1	07/29/2003	VAN DAN ELZEN	
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	3	GB 186281	09/28/1922	BARTHELEMY		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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